

§ 221.123 Reissue of matter continued in effect by suspension to be canceled upon termination of suspension.

When tariff provisions continued in effect by a suspension are reissued during the period of such suspension, the termination of the suspension and the coming into effect of the suspended matter will not accomplish the cancellation of such reissued matter. In such circumstances, prompt action shall be taken by the issuing agent or carrier to cancel such reissued provisions upon the termination of the suspension in order that they will not conflict with the provisions formerly under suspension.

Subpart J—Vacating the Suspension of Tariff Matter

§ 221.130 Tariff must be amended to make suspended matter effective.

(a) When the Board vacates an order which suspended certain tariff matter in full or in part, such matter will not become effective until the termination of the suspension period unless the issuing agent or carrier amends the pertinent tariffs in the manner prescribed in this subpart (except as provided in paragraph (b) of this section).

(b) If the Board vacates its suspension order prior to the original published effective date of the tariff provisions whose suspension is vacated, such provisions will become effective on their published effective date without filing a vacating supplement as required by this subpart.

§ 221.131 Vacating supplement.

(a) Subject to §§ 221.132 and 221.133, the tariff, supplement, page, item, rule, fare, rate, or other tariff provision whose suspension has been vacated by an order of the Board may be made effective prior to the termination of the suspension period only by issuing and filing to the tariff containing the suspended matter a supplement (referred to in this subpart as a vacating supplement) which shall conform with the following requirements:

(1) Such vacating supplement shall be issued on not less than one day's notice unless otherwise provided by the Board's vacating order.

(2) Such vacating supplement may be filed to a loose-leaf tariff as well as a book tariff.

(3) Such vacating supplement shall contain a vacating notice which shall specify the tariff matter whose suspension is vacated and shall state the specific date on which such matter will become effective. Such date shall be the same effective date as the effective date of the vacating supplement and must be earlier than the date to which the tariff matter was suspended. The vacating notice shall be published on the title page of the supplement (immediately below the description of contents and territory) or at the top of the next page.

(4) Such vacating supplement shall direct the cancellation of the suspension supplement if all suspended matter covered by the suspension supplement is being vacated.

(5) Such vacating supplement shall contain no tariff provisions other than those specifically authorized to be included therein by this section and § 221.132, and those required by other regulatory bodies.

(6) The title page of such vacating supplement shall contain reference to this subpart and to the Board's vacating order to be shown immediately above the issued and effective dates in the following manner:

Issued under authority of subpart J, part 221 of the Economic Regulations and Order No. ____ in Docket No. ____ of the Civil Aeronautics Board.

(b) [Reserved]

§ 221.132 When tariff amendments in addition to vacating supplement are required.

(a) *Notice and effective date.* All amendments made pursuant to this section shall be filed on not less than one day's notice, unless otherwise provided by the Board's vacating order, and shall bear the same effective date as the effective date of the vacating supplement filed pursuant to § 221.131, except as otherwise provided in paragraph (h) of this section, and except that the effective date of any tariff provisions other than the vacated matter shall not be advanced under this authority. All tariff amendments made pursuant to this section which are not published in the vacating supplement